

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| DATE FILED: 11/30/09 |

JOYCE WILSON, : 09 Civ. 2150 (SHS)

Plaintiff, :
-against- :
BOARD OF ELECTION BRONX NEW YORK, :
ET AL., :
Defendants.

-----x

SIDNEY H. STEIN, U.S. District Judge.

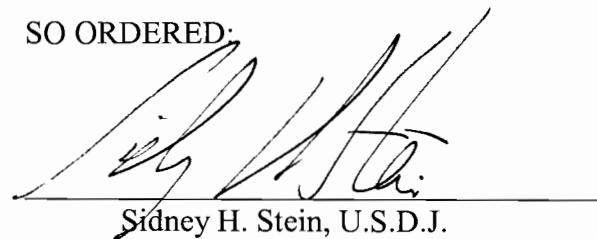
On August 26, 2009, Magistrate Judge Henry B. Pitman issued an order directing plaintiff to show cause on or before October 26, 2009, why this action should not be dismissed for failure to serve the summons and complaint within the 120 day time limit established by Fed. R. Civ. P. 4(m). To date, nothing was received from plaintiff in response to Magistrate Judge Pitman's August 26 order and no proof of service has been filed.

On November 2, 2009, Magistrate Judge Pitman issued a Report and Recommendation recommending *sua sponte* that this action be dismissed on the ground that plaintiff has not completed service of the summons and complaint within the time permitted by Fed. R. Civ. P. 4(m). To date, the Court records indicate that no response to the Report and Recommendation has been filed with the Court. Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Pitman's Report and Recommendation is adopted and this action is dismissed.

Dated: New York, New York
November 30, 2009

SO ORDERED:

A handwritten signature in black ink, appearing to read "Sidney H. Stein", is written over a horizontal line. The signature is fluid and cursive.

Sidney H. Stein, U.S.D.J.